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fields of the middle ages and the agriculture of classical antiquity. The "shell" of the open field village, which Mr. Seebohm has already made the basis of much significant speculation, thus seems to receive new and mysterious meaning in these posthumous pages.

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VINOGRADOFF, PAUL (Ed. by). *Oxford Studies in Social and Legal History* Vol. IV. Pp. vii, 403. Price, 12/6. Oxford: Clarendon Press, 1914.

This volume contains two monographs: *The History of Contract in Early English Equity*, by W. T. Barbour; *The Abbey of St. Bertin and its Neighborhood, 900-1350*, by G. W. Coopland. Both studies exhibit to a marked degree the intensive utilization of special sources that characterizes the series, but this volume is not as interesting to the general student as its predecessors. The subjects are in themselves of special appeal and the results are not sufficiently coördinated with the general problems to which they are related.

Professor Barbour's study of contract in equity utilizes new material much of which is unpublished—the petitions presented to the chancellor. Accounts of the development of chancery jurisdiction have hitherto been founded primarily upon the text writers. Some petitions have been published but so small a portion of the total mass available that no conclusions could be drawn. Between the accession of Richard II and the early years of Henry VIII there are preserved 377 bundles of petitions covering approximately 300,000 cases. These have been examined by the author with particular care during the early period, and by an adequately selective process for the later period. The material is defective with reference to a general study of chancery jurisdiction because barely one-tenth of the petitions are endorsed with the judgment. The evidence here available thus adds little to our knowledge of the legal doctrines underlying decisions or of the sources from which the chancellors derived the essential principles of their jurisprudence. The petitions throw considerable light, however, upon the chronology of equity jurisdiction, and it appears that the chancellor had built up a considerable series of precedents in contract before the common law began to compete with its rival remedy afforded by the action of *assumpsit*.

The interest of the monograph is thus much narrower than its title would suggest. No attempt is made to trace the doctrines to their source. Professor Barbour is inclined to regard the canon law as the most significant influence, but it would seem that the law merchant must have furnished some notions. There is reference to the substantially appellate jurisdiction of the chancellor in cases involving the law merchant, but the relation of equity to the law merchant is not treated systematically. Probably the petitions throw little light upon the subject, and the author confined himself largely to the evidence of the petitions. The common law doctrines are concisely stated in excellent introductory chapters.

Mr. Coopland's study of the manuscript and printed materials concerning the Abbey of St. Bertin in Artois contains excellent chapters on status,

modes of tenure, and systems of culture. The earlier chapters contain little that is significantly new or of general interest. The discussion of the legal rights and economic well-being of the peasants is stimulating. Mr. Coopland emphasizes the need of distinguishing between improvement in legal status and increase in material well-being. By 1300 there was little serfdom in Artois, but the material condition of the peasants left much to be desired. The rise out of serfdom in this district, the so-called Gulf of St. Omer, was closely associated with the effort to reclaim waste or to restore to cultivation land that had relapsed to the wild state during the period of Norman incursions. It is interesting to observe also the excessive subdivision of the holdings. The process of division had been carried as far in the fourteenth century as in the nineteenth, and Mr. Coopland concludes that "the curve of morcellement" has changed position and direction more than once in the course of the Middle Ages and Modern times."

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